

BILL ANALYSIS

C.S.H.B. 3058
By: Castro
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Firefighters and police officers of the City of San Antonio are currently covered by meet and confer legislation, but there are no provisions covering the employment matters of Bexar County's other municipal employees.

C.S.H.B. 3058 grants a public employee association of a county of one million or more that has adopted a resolution or policy providing for a consultation system, the right to meet and confer with a public employer over issues such as wages, hours, working conditions, and all other terms and conditions of employment. The bill prohibits strikes and work stoppages by employees who participate in these organizations.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3058 amends the Local Government Code to establish local control of employment matters in a county with a population of more than one million in which more than 80 percent of the population lives in a single municipality and that has adopted a resolution or policy providing for a consultation system in which the county will meet or consult with an employee association if the association demonstrates that it is supported by at least 30 percent of the employees eligible to participate. The bill provides that a county may not be denied local control over wages, salaries, rates of pay, hours of work, other terms and conditions of employment, or other state-mandated personnel issues. The bill authorizes a public employer to enter into a mutual agreement governing these issues with an employee association recognized as the sole and exclusive bargaining agent for all covered employees that does not advocate the illegal right to strike by county employees. The bill provides that applicable statutes, local orders or ordinances, and civil service rules govern a term or condition of employment on which the public employer and the association do not agree. The bill requires an agreement between a county and an employee association to be written. The bill does not require the county and the recognized employee association to meet and confer or reach an agreement on any issue and does not authorize an agreement regarding pension or pension-related matters governed by state law. The bill does not apply its provisions to police officers covered by the Fire and Police Employee Relations Act or an employee association in which such police officers participate.

C.S.H.B. 3058 sets forth provisions relating to a petition for recognition being granted by the commissioners court of a county, a certification election, an election to authorize operation, a change or modification of recognition, the prohibition of strikes, recognition of an employee association, selection of a bargaining agent and bargaining unit, protected rights of employees, open records and open deliberations, ratification and enforceability of an agreement, an action or election to repeal the authorization to operate, an election to repeal an agreement, and preemption of conflicting law. The bill defines "covered employee," "employee association," and "public employer" for the purposes of the bill.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3058 adds a provision not in the original to specify that in addition to the other qualifications, a county to which the substitute applies is a county in which more than 80 percent of the population lives in a single municipality.